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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
KERMIT WILLIAMS,)
)
Complainant,)
)
vs.) No. 14-0429
)
PEOPLES GAS LIGHT AND COKE)
COMPANY,)
)
Respondent.)
)
)

Chicago, Illinois
July 10th, 2014

Met, pursuant to notice, at 11:00 a.m.

BEFORE:

Sonya J. Teague Kingsley, Administrative Law Judge

1 APPEARANCES:

2 MR. KERMIT WILLIAMS
3 9923 South State Street
4 Chicago, Illinois 60628
5 (224) 203-6654

6 Appearing pro se;

7 INTEGRYS BUSINESS SUPPORT, LLC, by
8 MR. KOBY A. BAILEY
9 130 East Randolph Street
10 Chicago, Illinois 60601
11 (312) 240-4081

12 Appearing for the Peoples Gas Light and
13 Coke Company.

14 ALSO PRESENT:

15 Ruben Mercado, Peoples Gas Light and Coke Company

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21 SULLIVAN REPORTING COMPANY, by
22 Christine L. Kowalski, CSR
License No. 084-004422

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I N D E X

| <u>Witnesses:</u> | <u>Direct</u> | <u>Cross</u> | <u>Re- direct</u> | <u>Re- cross</u> | <u>By Examiner</u> |
|-------------------|---------------|--------------|-----------------------|----------------------|------------------------|
| (None.) | | | | | |

E X H I B I T S

| <u>Number</u> | <u>For Identification</u> | <u>In Evidence</u> |
|-------------------|---------------------------|--------------------|
| (None so marked.) | | |

1 JUDGE TEAGUE KINGSLEY: Pursuant to the
2 direction of the Illinois Commerce Commission, I now
3 call Docket No. 14-0429, Kermit Williams versus
4 Peoples Gas Light and Coke Company. This matter
5 concerns a complaint as to billing, slash, charges in
6 Chicago, Illinois.

7 Will the parties please identify
8 themselves for the record. Include your name, your
9 address, and your telephone number.

10 And, Mr. Williams, you can start.

11 MR. KERMIT WILLIAMS: My name is Kermit
12 Williams. My mailing address is 9923 South State
13 Street, Chicago, Illinois 60628. My contact
14 number -- cell phone number is (224) 203-6654. I'm
15 the complaining witness.

16 MR. BAILEY: Your Honor, Koby Bailey on behalf
17 of the Peoples Gas Light and Coke Company, 200 East
18 Randolph, Chicago, Illinois 60601 (312) 240-4081.

19 JUDGE TEAGUE KINGSLEY: Thank you.

20 Let the record reflect that the
21 parties had an opportunity to discuss this matter off
22 the record, and it's my understanding that the

1 parties weren't able to come to an agreement.

2 Did you want to move on to an
3 evidentiary hearing or do you want to meet again?

4 MR. BAILEY: Well, your Honor, one of the
5 things I would like to do, given -- given the lack of
6 clarity in the complaint, is I would like to get on
7 the record what issues we are actually supposed to be
8 addressing in this case.

9 JUDGE TEAGUE KINGSLEY: That was my next --
10 thank you for saying that. That was my next step, is
11 I wanted to kind of clarify what the complaint was
12 and then have you -- Peoples Gas file an answer or
13 otherwise plead.

14 MR. BAILEY: Right.

15 JUDGE TEAGUE KINGSLEY: And, Mr. Williams,
16 what's the total amount that you think you've been
17 incorrectly charged? You know, like, what's the
18 total?

19 MR. KERMIT WILLIAMS: It -- it's sort of
20 undefined because they methods on which they go about
21 distributing the gas, and then with respect to they
22 accounting methods is deceptive and it's inaccurate.

1 So it's hard to stipulate a actual number --

2 JUDGE TEAGUE KINGSLEY: But --

3 MR. KERMIT WILLIAMS: -- but as -- as -- as a

4 reference, if you want to go by as a reference to get

5 clarity on the picture of they act of fraud or

6 deceptive business practice and methods, when they

7 send you your statement, they say, This is the amount

8 of gas you used, your actual used gas. They give you

9 a number. Then they say, We're going to apply this

10 actual amount of gas, what we say you've used from

11 reading your meter by a factor they refer to as a

12 therm conversion.

13 JUDGE TEAGUE KINGSLEY: Right, but --

14 MR. KERMIT WILLIAMS: And that therm conversion

15 manipulate what they said was your actual gas used

16 which will cause it to be in a higher cost range than

17 what it would based upon what they said your actual

18 use would have been.

19 JUDGE TEAGUE KINGSLEY: So let's -- let's

20 start -- I want to kind of go step by step because in

21 order to assist you and in order for Peoples to

22 respond, I think we both are trying to figure out

1 what exactly your complaint is.

2 So I -- it sounds like -- there has to
3 be a way you can tell me when you get your bills over
4 this time that you're -- you're concerned about --

5 MR. KERMIT WILLIAMS: Right.

6 JUDGE TEAGUE KINGSLEY: -- there must be some
7 amount that you think you've been overcharged and you
8 should not have paid, like a specific amount.

9 Like, I guess I'm asking you --

10 MR. KERMIT WILLIAMS: But that's -- I can't --

11 JUDGE TEAGUE KINGSLEY: -- how can you know --

12 MR. KERMIT WILLIAMS: I can't really say that
13 because --

14 JUDGE TEAGUE KINGSLEY: But, Mr. Williams -- I
15 don't mean to cut you off, but I wanted to finish my
16 statement.

17 In order for you to be making a
18 complaint that you've been overcharged, you must have
19 a sense that you should have paid a certain amount
20 and you've been charged more than that.

21 So looking at your bills, is there an
22 amount --

1 MR. KERMIT WILLIAMS: Okay. Well, I -- I can
2 say only zero -- that's what I'm saying -- because I
3 don't -- I don't feel I owe no -- what they asking
4 for -- close to \$2,000 or \$1,900.

5 JUDGE TEAGUE KINGSLEY: So are you saying you
6 think you've been overcharged about \$1,900? Is that
7 what you're saying?

8 MR. KERMIT WILLIAMS: Whatever the price that
9 they say is.

10 JUDGE TEAGUE KINGSLEY: Well, you need --

11 MR. KERMIT WILLIAMS: Yes. Yes.

12 JUDGE TEAGUE KINGSLEY: You have to tell me --

13 MR. KERMIT WILLIAMS: Yes.

14 JUDGE TEAGUE KINGSLEY: You've received your
15 bills. I don't have copies of them.

16 MR. KERMIT WILLIAMS: Yes. Yes. Whatever
17 they -- they say that I owe --

18 JUDGE TEAGUE KINGSLEY: Because --

19 MR. KERMIT WILLIAMS: -- I'm disagreeing with,
20 but I'm not acknowledging that gas was not being
21 provided.

22 JUDGE TEAGUE KINGSLEY: No, I understand.

1 MR. KERMIT WILLIAMS: Now -- now --

2 JUDGE TEAGUE KINGSLEY: Mr. Williams, can I --

3 MR. KERMIT WILLIAMS: Okay.

4 JUDGE TEAGUE KINGSLEY: Let me stop you for a
5 moment.

6 When you file a complaint, you have to
7 be clear about what it is that you're complaining
8 about, what it is that you think is the problem so we
9 can address it. So the first thing we have to know
10 is how much.

11 You know, like you're saying you think
12 about, like -- you know, with all of your bills, are
13 you saying you don't -- you don't think you used any
14 gas at all? Is that what you're saying?

15 MR. KERMIT WILLIAMS: No, I'm not saying that.
16 That's my point. They make it difficult for the
17 client to complain or address they -- they --

18 JUDGE TEAGUE KINGSLEY: Well, Mr. Williams,
19 actually, typically it's sort of like, you know,
20 Usually I pay X amount, now I'm paying Y, and so this
21 difference between X and Y is what I think I've been
22 overcharged. Like, there -- there has to be some way

1 or some amount -- you know what I mean?

2 MR. KERMIT WILLIAMS: I agree, but it -- the
3 only way it can be -- it's undefined. Because if
4 I -- if I start saying -- saying numbers, it would be
5 misleading and it would be perjury.

6 JUDGE TEAGUE KINGSLEY: No, sir, it wouldn't --

7 MR. KERMIT WILLIAMS: Because the only --
8 only -- only thing that I could go by as -- as to
9 what is in hard copy written, they saying I owe
10 currently...

11 MR. BAILEY: Your Honor, if I may. \$1,888.10.

12 MR. KERMIT WILLIAMS: And that's what I'm
13 disputing. That whole amount.

14 JUDGE TEAGUE KINGSLEY: That's all I wanted to
15 know, sir.

16 MR. KERMIT WILLIAMS: Yeah.

17 JUDGE TEAGUE KINGSLEY: I just wanted to know
18 of the billings that you've received, you know, the
19 amounts they've charged you, how much of that you're
20 disputing. And you're disputing the total bill of
21 \$1,888.10.

22 So if that's your total bill, it

1 sounds like you're saying you don't think you should
2 pay anything, any of this amount you've been billed.

3 MR. KERMIT WILLIAMS: See, that's the dilemma.

4 JUDGE TEAGUE KINGSLEY: It's not really,
5 Mr. Williams.

6 MR. KERMIT WILLIAMS: It is.

7 JUDGE TEAGUE KINGSLEY: I don't mean to be
8 difficult with you, but it's not really. If your
9 bill is \$1,888.10 and you're disputing that entire
10 amount, that means you're saying you don't think you
11 should have to pay --

12 MR. KERMIT WILLIAMS: Correct.

13 JUDGE TEAGUE KINGSLEY: -- any of that.

14 MR. KERMIT WILLIAMS: Correct.

15 JUDGE TEAGUE KINGSLEY: All right.

16 MR. KERMIT WILLIAMS: But -- but -- but -- but
17 that also say -- would be saying that I'm saying that
18 they didn't provide me any gas to my residence,
19 service address. And I'm not saying that. I'm
20 acknowledging that --

21 JUDGE TEAGUE KINGSLEY: Well, Mr. Williams --

22 MR. KERMIT WILLIAMS: -- they took --

1 JUDGE TEAGUE KINGSLEY: -- how can you say you
2 didn't -- that you are acknowledging you got gas
3 service and you've been billed a certain amount, but
4 you don't want to pay any of that amount? How
5 does --

6 MR. KERMIT WILLIAMS: I don't -- I don't -- I'm
7 not saying I don't -- feel I shouldn't pay any of
8 that amount. I'm saying I -- I should be charged
9 what I used and what they said they was going to
10 charge me.

11 JUDGE TEAGUE KINGSLEY: So --

12 MR. KERMIT WILLIAMS: And in good faith, they
13 didn't do that.

14 JUDGE TEAGUE KINGSLEY: Okay. I'm going to ask
15 you one more question about this. So the
16 \$1,888.10 --

17 MR. KERMIT WILLIAMS: Yes.

18 JUDGE TEAGUE KINGSLEY: -- you just said you
19 think you used some gas; right?

20 MR. KERMIT WILLIAMS: No, I didn't say "I
21 think." I say I'm not being in denial that Peoples
22 Gas connected my gas line up and I had use of gas

1 during the period of time.

2 JUDGE TEAGUE KINGSLEY: That's what I just
3 said.

4 MR. KERMIT WILLIAMS: Yeah.

5 JUDGE TEAGUE KINGSLEY: So if you did get
6 service of gas --

7 Okay?

8 MR. KERMIT WILLIAMS: Right.

9 JUDGE TEAGUE KINGSLEY: -- and you got a
10 bill --

11 MR. KERMIT WILLIAMS: Correct, and I got a
12 bill.

13 JUDGE TEAGUE KINGSLEY: -- and you're saying
14 that -- you're acknowledging that you got service;
15 right?

16 MR. KERMIT WILLIAMS: Right.

17 JUDGE TEAGUE KINGSLEY: And you used some of
18 it?

19 MR. KERMIT WILLIAMS: Right.

20 JUDGE TEAGUE KINGSLEY: So how can you say at
21 the same time you shouldn't pay any --

22 MR. KERMIT WILLIAMS: That was my point to you.

1 JUDGE TEAGUE KINGSLEY: Is that what you're --

2 MR. KERMIT WILLIAMS: That was my point to you.

3 That's what I'm saying. I'm not -- I'm disputing the

4 1,800 --

5 JUDGE TEAGUE KINGSLEY: Okay. Okay.

6 MR. KERMIT WILLIAMS: -- and all of it --

7 JUDGE TEAGUE KINGSLEY: The whole thing?

8 MR. KERMIT WILLIAMS: -- but that's -- but I'm

9 not saying I didn't use gas. See, that's the dilemma

10 based upon what Peoples Gas is doing. They make it

11 difficult to explain. That's why I'm saying it's

12 really undefined as to how much I would actually owe.

13 JUDGE TEAGUE KINGSLEY: Okay. Let's move on.

14 I just want to flesh these things out before we

15 proceed, because I'm going to ask them to answer your

16 complaint and it needs to be a little clearer for

17 them to answer your allegations.

18 MR. KERMIT WILLIAMS: Right.

19 JUDGE TEAGUE KINGSLEY: So now that we've

20 confirmed that you're disputing the 188 -- \$1,888.10,

21 that's the amount you're disputing, very simply, you

22 know, as briefly as you can, is your complaint that

1 you were billed incorrectly, you know, that --

2 MR. KERMIT WILLIAMS: Correct.

3 JUDGE TEAGUE KINGSLEY: -- this bill is not

4 right?

5 MR. KERMIT WILLIAMS: Correct.

6 JUDGE TEAGUE KINGSLEY: And also that there was

7 some transferring of balances around --

8 MR. KERMIT WILLIAMS: Correct. Yes.

9 JUDGE TEAGUE KINGSLEY: Can you explain what

10 you mean by that.

11 MR. KERMIT WILLIAMS: On the -- on the one --

12 the main scenario first is the account that was in my

13 mother's name. And they -- the outstanding balance

14 of \$600 and something, something, something,

15 something, they transferred it over to my account.

16 Now, my account was granted \$509 from

17 a LIHEAP Program. What Peoples Gas did, they took

18 that money out of my account and they tried to

19 make -- or were trying to justify in they mindset

20 that since they transferred a bill from another

21 account into my account, give them justification to

22 use that \$500 and -- \$509 and credit it to a whole

1 different account.

2 JUDGE TEAGUE KINGSLEY: Not your account?

3 MR. KERMIT WILLIAMS: Right. And not one penny
4 went to my account during the duration. And when I
5 called them to address it, they didn't consider
6 anything that I brought to their attention. And they
7 were saying that that old account had to be paid for,
8 and in they mindset, they used that money -- misused
9 money that was given to my account in another
10 account.

11 And due to the fact that the 500 --
12 the other account was more than \$500, they left the
13 remaining difference in my account to pay for, which
14 is included in the \$1,888.10. It's hidden in there.

15 JUDGE TEAGUE KINGSLEY: Let me -- I know we're
16 going to -- you know, you all said you're -- you're
17 going to probably proceed to an evidentiary hearing.
18 We'll get into this, but I just want to understand,
19 when you say "other account," I'm a little bit
20 confused. It sounds like you're saying that this
21 LIHEAP money was taken and credited to someone
22 completely different or --

1 MR. KERMIT WILLIAMS: A different account
2 number.

3 JUDGE TEAGUE KINGSLEY: No, I understand it's a
4 different account number --

5 MR. KERMIT WILLIAMS: Which is a different
6 person --

7 JUDGE TEAGUE KINGSLEY: -- but was that account
8 number attached to you?

9 MR. KERMIT WILLIAMS: I -- I -- I can't --

10 JUDGE TEAGUE KINGSLEY: Do you understand what
11 I'm saying?

12 MR. KERMIT WILLIAMS: Yes, but that's
13 misleading. That's what I'm saying.

14 JUDGE TEAGUE KINGSLEY: It's not misleading.
15 I'm just asking you --

16 MR. KERMIT WILLIAMS: It's not attached to me.
17 No, it's not -- it wasn't my account.

18 JUDGE TEAGUE KINGSLEY: So it's someone else's
19 account? They took --

20 MR. KERMIT WILLIAMS: Correct.

21 JUDGE TEAGUE KINGSLEY: -- your LIHEAP money,
22 you're alleging, and gave it to someone entirely

1 different?

2 MR. KERMIT WILLIAMS: Correct.

3 MR. BAILEY: Your Honor, could I recap so

4 I'm -- I'm clear? Because -- are we going to be

5 using the transcript as the means for the Amended

6 Complaint that I'll reply to or are we going to

7 require an Amended Complaint?

8 JUDGE TEAGUE KINGSLEY: Let's do that. Since

9 it's a pro se, I would prefer if we can --

10 MR. BAILEY: Okay.

11 JUDGE TEAGUE KINGSLEY: -- use the --

12 MR. BAILEY: Well, you can use the transcript

13 as the form of an answer.

14 JUDGE TEAGUE KINGSLEY: Yeah.

15 MR. BAILEY: Okay.

16 JUDGE TEAGUE KINGSLEY: Yeah. That would be...

17 MR. BAILEY: Okay. So there are -- there's the

18 transfer of the \$600 from your mother's account to

19 your account with the account number ending in 4365?

20 MR. KERMIT WILLIAMS: Ending in 4365, right.

21 MR. BAILEY: Yeah. Okay. So there's the \$600

22 transfer from your mother's account to your account.

1 Okay. So that's one issue.

2 The second issue is the transfer -- is
3 the LIHEAP Grant, and your contention is that that
4 LIHEAP Grant was not applied to the account number
5 ending in 4365?

6 MR. KERMIT WILLIAMS: Correct.

7 MR. BAILEY: Okay. Okay.

8 Okay. Great. Thank you,
9 Mr. Williams.

10 MR. KERMIT WILLIAMS: Mm-hmm.

11 JUDGE TEAGUE KINGSLEY: Okay. Okay.

12 Okay. So I think I understand -- I
13 think I -- you've summarized the two things that your
14 complaint concerns: incorrect bills and then the
15 transfer of LIHEAP to a different account.

16 MR. BAILEY: And, your Honor, just so I'm
17 understanding it, the \$1,880.10 (sic) is the
18 current -- the current bill.

19 JUDGE TEAGUE KINGSLEY: Yes. And then --

20 MR. BAILEY: So there's the complaint
21 associated with the transfer of balances and the
22 application of the LIHEAP funds. And then there's

1 the complete dispute of the entire \$1,880.10
2 associated with the account with the last numbers,
3 your account, ending in 4365.

4 What I -- for purposes of answering,
5 what I want to know is, you know, can you succinctly
6 list the reasons about what tariff, provision, or
7 administrative rule of the Illinois Commerce
8 Commission we violated?

9 MR. KERMIT WILLIAMS: Under the policy, just
10 right off the bat -- and it's been a while since I
11 read it -- it all -- it stipulates something about a
12 comparison of actual gas being used, actual charges,
13 annual losses, and differences, you trying to
14 retract -- this seem like you making the customer pay
15 for Peoples Gas mismanagement.

16 Why should -- should the people --
17 your clients pay for your losses? If you saying --
18 and the clients are paying what they -- what they
19 agreed to pay Peoples Gas, the prices that you say
20 you charge, but you charge more, then you -- you say,
21 We short. We're going to make an adjustment here
22 because a statute or a law say we can seek

1 contributions of funds and balance your budget out.

2 JUDGE TEAGUE KINGSLEY: Mr. Williams, so -- I

3 don't mean to cut you off. So is there a statute or

4 a -- I think that's what he was asking, if you knew

5 of -- you know, because --

6 MR. KERMIT WILLIAMS: Well --

7 JUDGE TEAGUE KINGSLEY: -- the Commission has a

8 Public Utilities Act and we have Administrative

9 Rules.

10 MR. KERMIT WILLIAMS: I referenced the Code of

11 Federal -- Federal Regulations.

12 JUDGE TEAGUE KINGSLEY: But that's not --

13 MR. KERMIT WILLIAMS: I don't know it by heart

14 which one. I put them all on here.

15 JUDGE TEAGUE KINGSLEY: Yeah, you did.

16 MR. KERMIT WILLIAMS: Right.

17 JUDGE TEAGUE KINGSLEY: I think what he's

18 trying to get at, you referenced some federal

19 statutes and things like that; however, this is a

20 state agency and so we regulate based on the Public

21 Utilities Act and the Administrative --

22 MR. KERMIT WILLIAMS: Code.

1 JUDGE TEAGUE KINGSLEY: -- there's an
2 Administrative Code --

3 MR. KERMIT WILLIAMS: And I referenced those,
4 too.

5 JUDGE TEAGUE KINGSLEY: No, you referenced
6 Federal --

7 MR. KERMIT WILLIAMS: I got 83 -- 83 of the --
8 Title 83 of the Illinois Administrative Code Public
9 Utilities, and I have the Statute 220 of Illinois
10 Compiled Statute in reference to Article 5 or Act 5,
11 slash, Articles 1 through 8 of 10 or something on
12 here.

13 MR. BAILEY: So --

14 MR. KERMIT WILLIAMS: Because, see, when they
15 want me to be brief, I can't -- I don't work with
16 these statutes enough where I can really memorize
17 them --

18 JUDGE TEAGUE KINGSLEY: No, he doesn't want you
19 to tell him everything --

20 MR. KERMIT WILLIAMS: -- to answer his question
21 like that. That's what I'm saying.

22 JUDGE TEAGUE KINGSLEY: He just wants to

1 know --

2 MR. KERMIT WILLIAMS: It's -- it's cited or
3 written down here.

4 JUDGE TEAGUE KINGSLEY: I think he was going to
5 say something.

6 MR. BAILEY: Yeah. The question is
7 specifically how did we violate the listed statute or
8 the listed Administrative Rule or the tariff? So
9 what particular -- in computation of the \$1,888.10,
10 what particular pieces of our -- the Peoples Gas
11 tariff or the Administrative Rules did we violate and
12 how did we violate it?

13 MR. KERMIT WILLIAMS: Can we continue that and
14 I'll have that answer for you at another time?
15 Because, like I said --

16 MR. BAILEY: Okay. We --

17 MR. KERMIT WILLIAMS: -- I'm not familiar with
18 the statute to the point where I could specifically
19 say this and this.

20 MR. BAILEY: Okay.

21 MR. KERMIT WILLIAMS: I've written it down in
22 brief because that's what they say --

1 MR. BAILEY: Okay.

2 MR. KERMIT WILLIAMS: -- you know, brief your
3 specifications.

4 MR. BAILEY: Okay.

5 MR. KERMIT WILLIAMS: And I don't want to
6 mislead you.

7 MR. BAILEY: Okay. And -- and --

8 MR. KERMIT WILLIAMS: Or you have me pinned
9 down, You said this, when it be something else.

10 MR. BAILEY: Well -- and -- and, I mean --

11 MR. KERMIT WILLIAMS: So let me get a chance to
12 review it again.

13 MR. BAILEY: Okay. I -- I'm not opposed to a
14 status hearing --

15 MR. KERMIT WILLIAMS: And I'll post you a
16 question on that.

17 MR. BAILEY: So we have two clear complaints,
18 two clear ends. We have some uncertainty as to what
19 particular Administrative Rule or tariff practice we
20 violated and how -- not only what we violated, but
21 how we violated it.

22 Because in order for me to answer your

1 question -- or answer your complaint, I'm going to
2 have to understand essentially what you're
3 complaining about. So that's --

4 MR. KERMIT WILLIAMS: In layman's terms, it's
5 like this: You said -- you say, This is July. You
6 say, In August, I'm going to charge you 5 cents per
7 therm of gas in August. Come August, you said, In
8 August, we billed you 5 cents per therm.

9 But when you go on the other side and
10 see your actual calculations, you didn't charge no 5
11 cents per therm. You charged an amount that was
12 manipulated by your factor in your therm conversion
13 that will alter what you first said your actual
14 reading, what you getting from the meter, to be --

15 MR. BAILEY: So -- okay. And if I may -- I
16 don't want to interrupt, but I want to make sure I'm
17 capturing the points here.

18 So you're saying that the therm
19 conversion rate where you convert cubic feet of gas
20 into the BTU and therm equivalents, that's incorrect?

21 MR. KERMIT WILLIAMS: I'm not saying that the
22 equation is -- is incorrect, but you don't show what

1 equation you use. You just give the final product.
2 You should have that equation on the back of your
3 definitions like you have your other definitions.
4 You don't show that.

5 MR. BAILEY: Okay. So -- and --

6 MR. KERMIT WILLIAMS: How you come up with use
7 of your therms because that would be -- wouldn't be
8 the final product of therms. You manipulating terms
9 in the use of therms and British thermal units and
10 the acronym of BTUs, and they don't equal each other.

11 MR. BAILEY: Okay.

12 MR. KERMIT WILLIAMS: Because you're taking the
13 meter reading, those units, that -- the manufacturer
14 say, This is measured with temperature comps of
15 60 degrees Fahrenheit base. That's not in BTU units.
16 That's British therm -- they use a different
17 measurement of degrees. They use Cs rather than Fs
18 for Farenheit.

19 JUDGE TEAGUE KINGSLEY: Mr. Williams, I don't
20 mean to interrupt you, but -- so are you saying
21 that -- is it as simple as you're saying they're
22 charging you more than they say their rates are?

1 MR. KERMIT WILLIAMS: Correct.

2 JUDGE TEAGUE KINGSLEY: Their published rates?

3 MR. KERMIT WILLIAMS: And what they put in

4 print of what they -- they tell you before the month

5 comes, This what we're going to charge you. And then

6 in the same -- then when that month comes, they

7 say -- they put the same thing what they said last

8 month, but what they actually charge you, it be more.

9 And another thing they do is if it's

10 5 -- they say 5 cents, they'll -- they'll say .059

11 or -- or 8. They'll increase it rather than .05.

12 JUDGE TEAGUE KINGSLEY: Okay. So that's -- you

13 believe you're being charged more than the published

14 rate -- or the rate that --

15 MR. KERMIT WILLIAMS: That -- right. And the

16 factoring equation in which they charge you --

17 MR. BAILEY: Okay. So --

18 MR. KERMIT WILLIAMS: -- which is wrong. They

19 don't -- they don't charge by that -- that equation.

20 MR. BAILEY: Okay. So you're alleging --

21 MR. KERMIT WILLIAMS: Per therm, they don't

22 charge you per therm.

1 MR. BAILEY: Okay.

2 MR. KERMIT WILLIAMS: They charge you at a
3 factor, which is more, a lot more. That's times
4 itself -- if you understand squared, that means it's
5 a factor of itself twice.

6 MR. BAILEY: Okay. So you're arguing that the
7 cubic feet conversion rate is incorrect; you're
8 arguing that the decimal place -- there should be a
9 limitation on decimal places; and --

10 MR. KERMIT WILLIAMS: No, that's not what I --
11 no, that's incorrect. You say this, but you do
12 something else. Now, if you -- if -- I'm saying I
13 don't mind paying this, then do all your factoring
14 calculation off of this. Don't go start switching
15 the game over in your actual charging factor.
16 That's -- and you come up with \$1,800.

17 JUDGE TEAGUE KINGSLEY: Okay. So it sounds
18 like --

19 MR. KERMIT WILLIAMS: When it's you --

20 JUDGE TEAGUE KINGSLEY: -- you think you're
21 being overcharged?

22 MR. KERMIT WILLIAMS: Yeah.

1 JUDGE TEAGUE KINGSLEY: You're alleging you're
2 being charged an amount that's different from --

3 MR. KERMIT WILLIAMS: What they've said that --

4 JUDGE TEAGUE KINGSLEY: -- what's in writing
5 or --

6 MR. KERMIT WILLIAMS: Yes.

7 JUDGE TEAGUE KINGSLEY: -- what you think
8 they've said?

9 MR. BAILEY: Okay. So -- so just to be clear,
10 so the difference -- when you have your meter read,
11 there's a difference between the amount of usage in
12 cubic feet, there's a BTU conversion factor applied
13 to it that creates a therm.

14 MR. KERMIT WILLIAMS: No, what you call -- you
15 say -- you say -- no, your form say it's a therm
16 conversion. And then when you apply it, then you say
17 that amount becomes therms. You -- that's my -- you
18 playing with terms and terminology.

19 In mathematics, the -- in mathematics,
20 therms will -- when you use that abbreviation, it
21 handles both the single and the dual. By the
22 coefficient, it will tell you when it's plural and

1 when it's singular. The coefficient is the number
2 value in front of therms.

3 MR. BAILEY: Okay, sir.

4 MR. KERMIT WILLIAMS: And that would -- but
5 when you -- when you put it up -- when it's more than
6 one, you put it in therms at an S rather than at its
7 therms.

8 MR. BAILEY: Okay, sir.

9 MR. KERMIT WILLIAMS: You're not converting.

10 MR. BAILEY: So you're arguing that the billing
11 is improper because when you take the cubic feet, you
12 multiply it by the BTU factor, which will equal
13 therms, that is improper?

14 MR. KERMIT WILLIAMS: Okay. Let -- let me put
15 it this way: That therm conversion, by your
16 definition -- let's go back here. It -- it -- it
17 tells you why you use it. Let me see this.

18 Okay. BTU factor, British thermal
19 unit, a factor used to convert measured gas volume
20 into the heating volume of the gas. Okay. You
21 don't -- right here, that's where you should show the
22 equation you're using. You don't show no equation.

1 You just show a figure -- you just give a figure -- a
2 factor that represented -- I don't know that you're
3 using BTU equation because you don't have no
4 definition to justify where we could trace that. But
5 it's just a means to increase and alter what you
6 established reading the meter as with my actual
7 difference of gas used.

8 MR. BAILEY: Okay. So --

9 MR. KERMIT WILLIAMS: I'm not saying it's
10 wrong. I'm saying you use it -- you don't define it.
11 I can't say it's wrong because you might be using a
12 true factor, but it might not be using it correctly,
13 too.

14 MR. BAILEY: Okay. So -- I don't even know
15 where to begin with this. We have -- the meter
16 registers in cubic feet. There's a BTU factor
17 applied, meaning each cubic foot of gas has a certain
18 heating component. That heating component --
19 multiply the cubic feet times the heating component,
20 that equals therms. The therms are then what's
21 applied in the various charges that are on the --
22 sort of on the Page 1, face of your bill.

1 MR. KERMIT WILLIAMS: Correct.

2 MR. BAILEY: And the contention is that you

3 believe that the filed BTU -- the Commission-filed

4 BTU factors are incorrect?

5 MR. KERMIT WILLIAMS: I'm saying you're using

6 that as a means as to give a false reading. I'm not

7 saying it's incorrect because you don't show your BTU

8 factor. You just give a value, 1.18 or something.

9 MR. BAILEY: Your Honor, it's 1.017.

10 MR. KERMIT WILLIAMS: And then you multiply

11 that by what you say was my actual gas use reading

12 from the meter, the difference. You get a

13 subtraction. You do simple arithmetic in both

14 cases.

15 MR. BAILEY: And so -- okay. So we're not

16 debating the meter accuracy, we're debating --

17 MR. KERMIT WILLIAMS: Your accounting.

18 MR. BAILEY: -- the -- well, no --

19 MR. KERMIT WILLIAMS: This is all accounting.

20 MR. BAILEY: Hold on. Let me finish, please.

21 MR. KERMIT WILLIAMS: Okay.

22 MR. BAILEY: The question at hand is you're

1 alleging a violation of a tariff because we take the
2 cubic feet measured on the meter; we multiply it by a
3 BTU factor, 1.017, for instance; that equals a therm
4 number, so that creates a number of therms; and then
5 pursuant to our rates, we multiply those therms times
6 the various charges that are in our
7 Commission-approved tariffs. And where the complaint
8 centers is in that BTU factor, that conversion?

9 MR. KERMIT WILLIAMS: No. It's not at -- well,
10 it's not just at that --

11 MR. BAILEY: Okay. I'm -- I'm --

12 MR. KERMIT WILLIAMS: You're missing the point.
13 You say -- you say cents per therm is what we're
14 going to charge you. Cents. Up here, you -- it's
15 clear in print of how you justify manipulating what
16 you saying the actual gas difference was used for a
17 given month by when you multiply by your -- what
18 you've called a therm conversion.

19 A conversion is like changing 5 cents,
20 expressing what you have -- this is what you all do.
21 You say it's like 1 -- 119.15 cents. Then you --
22 this is a true conversion, and this is correct. Then

1 when you go and make your gas charge, it's not in
2 119.15 percent. It become 1 -- you change the
3 conversion cents into dollars. It becomes \$1.19
4 cents with a 1 5 following. That's the conversion.

5 JUDGE TEAGUE KINGSLEY: Mr. Williams --

6 MR. KERMIT WILLIAMS: You're not making the
7 conversion in your therm conversion what you state
8 and print on the statement. You're just adding a
9 factor to increase the therm what you said is my
10 actual use by reading from the meter.

11 MR. BAILEY: Okay.

12 JUDGE TEAGUE KINGSLEY: And so is it -- we're
13 just trying to better understand so everyone can
14 respond accordingly. Are you saying essentially you
15 have a problem with how they calculate your usage?
16 That there is -- you don't have a complaint -- you're
17 not saying that there's something wrong with the
18 meter, you're just saying there's something wrong
19 with how they calculate --

20 MR. KERMIT WILLIAMS: It's the accounting,
21 correct, and how the gas is distributed through the
22 meter. I'm not saying the meter is broken. And the

1 manufacturer who designed the meter could already
2 tell them what they using the BTU factor for. So I
3 don't see the purpose of this BTU factor or this
4 therm conversion. It's just a method or tactic to
5 overcharge the consumer.

6 JUDGE TEAGUE KINGSLEY: So you don't like the
7 way they calculate -- you're concerned about how they
8 calculate your usage?

9 MR. KERMIT WILLIAMS: It's -- I see it as
10 overcharging me.

11 JUDGE TEAGUE KINGSLEY: You think --

12 MR. KERMIT WILLIAMS: It's not charging me what
13 they said they're going --

14 JUDGE TEAGUE KINGSLEY: I understand.

15 MR. KERMIT WILLIAMS: -- to charge me.

16 JUDGE TEAGUE KINGSLEY: I understand what
17 you're saying. You think that the way they do the
18 calculation has the effect of overcharging?

19 MR. KERMIT WILLIAMS: Right. Right. That's
20 simply what I'm saying.

21 MR. BAILEY: Okay.

22 MR. KERMIT WILLIAMS: That's why I couldn't

1 reference the tariff thing and the legal aspect. I'd
2 rather use the layman's term as to what you are
3 saying to make it easier to explain, but that's --
4 that's what I'm saying.

5 JUDGE TEAGUE KINGSLEY: Okay.

6 MR. BAILEY: I -- as I understand it, the
7 answer will be responding to how we calculate our
8 bill.

9 JUDGE TEAGUE KINGSLEY: That, and --

10 MR. BAILEY: Well, you said --

11 JUDGE TEAGUE KINGSLEY: -- the transferring of
12 balances.

13 MR. BAILEY: Well, yeah. No, that's the --
14 those are the -- those two counts, the -- and then it
15 is the calculation of the bill.

16 MR. KERMIT WILLIAMS: And why do you say you
17 want to charge this and then you charge something
18 else?

19 JUDGE TEAGUE KINGSLEY: But that's part of
20 your "how they calculate concern"; right?

21 MR. BAILEY: Yeah, that's part of --

22 JUDGE TEAGUE KINGSLEY: Like you think that

1 they're not charging you the right thing because of
2 this calculation; right?

3 MR. KERMIT WILLIAMS: Right. Right.

4 JUDGE TEAGUE KINGSLEY: Okay.

5 MR. KERMIT WILLIAMS: But -- but -- that's --
6 that's -- right. But it's more than one part to
7 it -- to that, how they doing it.

8 JUDGE TEAGUE KINGSLEY: Okay.

9 MR. KERMIT WILLIAMS: That's what I'm also --
10 it's not just -- that's a foundation right there,
11 about how they manipulate what they refer to as therm
12 usage.

13 JUDGE TEAGUE KINGSLEY: Okay. And I'm going to
14 have counsel for Peoples file an answer or otherwise
15 plead.

16 MR. BAILEY: Okay.

17 JUDGE TEAGUE KINGSLEY: But I wanted to know --
18 you know, obviously it sounds like we're going to
19 move on to a trial. Because we try to encourage
20 parties to --

21 MR. KERMIT WILLIAMS: Settle.

22 JUDGE TEAGUE KINGSLEY: -- you know, come to an

1 agreement. But I wanted to know -- you're not
2 required at all to have an attorney, but I wanted to
3 know are you thinking about that for the trial --
4 MR. KERMIT WILLIAMS: No.
5 JUDGE TEAGUE KINGSLEY: -- or would you be
6 representing yourself?
7 MR. KERMIT WILLIAMS: I would be representing
8 myself.
9 JUDGE TEAGUE KINGSLEY: Okay. Okay.
10 MR. KERMIT WILLIAMS: I would like to say this,
11 too, for the record. I'm also complaining they
12 disconnect my service. And the reason -- I
13 understand the reason why they disconnect it, because
14 of the false billing that they trying to say I owe.
15 They tried to use that as justification to justify
16 disconnecting my services when they did.
17 JUDGE TEAGUE KINGSLEY: Oh, okay.
18 MR. KERMIT WILLIAMS: And I always -- according
19 to the state statute, if you want service, you have
20 to make the request. I make the request every month.
21 They never -- they didn't answer my -- they answer to
22 my request was disconnect.

1 JUDGE TEAGUE KINGSLEY: Okay. So your service
2 was disconnected --

3 MR. KERMIT WILLIAMS: Right.

4 JUDGE TEAGUE KINGSLEY: -- for lack of payment?

5 MR. KERMIT WILLIAMS: Right.

6 JUDGE TEAGUE KINGSLEY: Or nonpayment.

7 MR. KERMIT WILLIAMS: For nonpayment.

8 JUDGE TEAGUE KINGSLEY: When was it
9 disconnected? Do you know?

10 MR. KERMIT WILLIAMS: April 28th, 2014.

11 JUDGE TEAGUE KINGSLEY: Okay. So that's --
12 that wasn't -- I don't know if I saw that in your
13 complaint, but you're --

14 MR. KERMIT WILLIAMS: Yeah. That's the --

15 JUDGE TEAGUE KINGSLEY: -- that's your other --

16 MR. KERMIT WILLIAMS: -- first thing, request
17 for service. And then my last was service was
18 disconnected on the formal complaint.

19 JUDGE TEAGUE KINGSLEY: Where is that? On the
20 first paragraph?

21 MR. KERMIT WILLIAMS: The first -- where it
22 says as to reason for complaint.

1 JUDGE TEAGUE KINGSLEY: Uh-huh.

2 MR. KERMIT WILLIAMS: That's the first thing up
3 there.

4 JUDGE TEAGUE KINGSLEY: Request for --

5 MR. KERMIT WILLIAMS: Request for services.
6 Then at the end, I say service was disconnected at
7 the bottom.

8 MR. BAILEY: Okay. Well, we can --

9 MR. KERMIT WILLIAMS: This is my brief
10 statement as pertaining to what the nature of my
11 points and authorities --

12 JUDGE TEAGUE KINGSLEY: I don't see that.

13 MR. KERMIT WILLIAMS: Can I come up and show
14 you?

15 JUDGE TEAGUE KINGSLEY: Sure. Can you --

16 MR. KERMIT WILLIAMS: Right here (indicating),
17 request for service.

18 JUDGE TEAGUE KINGSLEY: Yeah, I saw that.

19 MR. KERMIT WILLIAMS: And then service was
20 disconnected.

21 JUDGE TEAGUE KINGSLEY: Oh, okay. Okay. Thank
22 you, Mr. Williams. I didn't see that. Okay. Okay.

1 Okay. Okay. So, Mr. Bailey, today is
2 July 10th.

3 MR. KERMIT WILLIAMS: So would you still like
4 me to provide a written statement as to the --

5 MR. BAILEY: I think -- I think I know the
6 answer to these with specificity. We have four
7 complaints. And this is -- I'm trying to just
8 summarize here.

9 MR. KERMIT WILLIAMS: All right.

10 MR. BAILEY: Please correct me -- one is
11 transfer of balance from your mother's account to
12 yours. Two is the complaint as to the LIHEAP Grant,
13 and the allegation is it wasn't brought into your
14 account. The third is the bill is incorrectly
15 calculated.

16 MR. KERMIT WILLIAMS: Mm-hmm.

17 MR. BAILEY: The last is your service was
18 disconnected.

19 MR. KERMIT WILLIAMS: Correct.

20 MR. BAILEY: Okay. That's -- that's -- I'm
21 satisfied that that is an Amended Complaint to be
22 answered.

1 MR. KERMIT WILLIAMS: But a further note, as
2 far as incorrectly calculated, also it is not
3 distributed to the house through the meter correctly
4 due to abnormal pressure settings.

5 JUDGE TEAGUE KINGSLEY: Well, Mr. Williams,
6 that's not what you had in your complaint.

7 MR. KERMIT WILLIAMS: Yes, I did say that.

8 JUDGE TEAGUE KINGSLEY: You're kind of adding
9 what you --

10 MR. KERMIT WILLIAMS: Because -- that's what I
11 was trying to tell you. It's so complex.

12 JUDGE TEAGUE KINGSLEY: I know. But,
13 Mr. Williams, I understand that it is really
14 complicated and, you know, you're taking your time
15 explaining it all to us; but the purpose today is to
16 really find out very specifically and very briefly
17 what are all of your complaints. And so for the time
18 we've been talking, we've been trying to figure that
19 out, you never mentioned this.

20 MR. KERMIT WILLIAMS: Because I was trying to
21 explain it's not just the accounting. He got the
22 accounting. Those -- what he said is true, but don't

1 miss just -- when you go back to report it to
2 whoever --

3 JUDGE TEAGUE KINGSLEY: No, what he's trying
4 to -- maybe I'll explain to you what he's trying to
5 do. Maybe that will help you with your responses.

6 What we're doing basically -- you
7 filed a complaint, right --

8 MR. KERMIT WILLIAMS: Correct.

9 JUDGE TEAGUE KINGSLEY: -- with your
10 allegations or, you know, what you believe is your
11 allegations against the respondent.

12 So now what Peoples has to do is I'm
13 directing them to file an answer to your complaint,
14 like, you know, basically saying it denies this or
15 agrees with us or to plead otherwise, meaning file a
16 motion to dismiss or something like that. So in
17 order to do that, they have to get a clear sense of
18 exactly what your complaint is.

19 So that's all we're trying to do. I
20 know there is a lot of information you want to tell
21 us about each complaint you have; but if today you
22 can just tell us, you know, what are all those

1 complaints. And then when we go to trial, you can
2 give me more information. I don't know if that's
3 helpful.

4 MR. KERMIT WILLIAMS: Yeah. Yeah. And that's
5 what I'm trying to do so they'll know how to properly
6 respond or answer.

7 JUDGE TEAGUE KINGSLEY: Yeah.

8 MR. KERMIT WILLIAMS: Don't get too focused on
9 the accounting part --

10 JUDGE TEAGUE KINGSLEY: Well, that's part of
11 your complaint.

12 MR. KERMIT WILLIAMS: Right, but that's part of
13 my complaint.

14 JUDGE TEAGUE KINGSLEY: So you have the one,
15 two, three --

16 MR. KERMIT WILLIAMS: Four.

17 JUDGE TEAGUE KINGSLEY: -- concerns that --
18 four -- what's the fourth one?

19 MR. BAILEY: Disconnection.

20 JUDGE TEAGUE KINGSLEY: Oh. So charging more
21 than is published and then --

22 MR. BAILEY: Yeah. Yeah. There's --

1 JUDGE TEAGUE KINGSLEY: -- how the bill is
2 calculated.

3 MR. BAILEY: Yeah. The way I've listed it,
4 there's the two balances, there's the LIHEAP, and
5 then there's the mother's account. The third
6 complaint I have listed as --

7 JUDGE TEAGUE KINGSLEY: Oh, I see. I got you.
8 I didn't separate those two out.

9 MR. BAILEY: Yeah.

10 JUDGE TEAGUE KINGSLEY: So now I've got it.
11 Okay.

12 MR. BAILEY: Yeah. Then there's the misbilling
13 and then there's the disconnection for nonpayment.

14 JUDGE TEAGUE KINGSLEY: Okay.

15 And now it sounds like you are saying
16 you have another complaint?

17 MR. KERMIT WILLIAMS: The misbilling also
18 includes the -- the factor used to compute the
19 quantity of gas when it is delivered at higher than
20 normal pressure. That's the distribution of gas.
21 That's dealing with the field of construction.
22 That's what I want to be clear on as well as the

1 accounting, what we got --

2 JUDGE TEAGUE KINGSLEY: What do you mean "the
3 distribution of gas"? What does that mean?

4 MR. KERMIT WILLIAMS: How the gas is delivered
5 from Point A to Point B into my house.

6 JUDGE TEAGUE KINGSLEY: How does that affect
7 your bill?

8 MR. KERMIT WILLIAMS: Because they have to
9 apply certain pressure so the gas --

10 JUDGE TEAGUE KINGSLEY: Are you saying they're
11 not applying the proper pressure and that's making
12 your bill high?

13 MR. KERMIT WILLIAMS: They manipulating it
14 somehow.

15 JUDGE TEAGUE KINGSLEY: You're saying how the
16 pressure --

17 MR. KERMIT WILLIAMS: And that's why I
18 suggested the company should apply pressure gauges so
19 that --

20 JUDGE TEAGUE KINGSLEY: I know -- I know you
21 have some solutions about how it can be fixed, but I
22 just want to know what is your concern. Are you

1 saying your bill is high because they're somehow
2 manipulating the pressure --

3 MR. KERMIT WILLIAMS: Correct.

4 JUDGE TEAGUE KINGSLEY: -- of the gas?

5 MR. KERMIT WILLIAMS: Right.

6 JUDGE TEAGUE KINGSLEY: Okay.

7 MR. KERMIT WILLIAMS: Because if it's set at a
8 higher than normal pressure, you're going to get an
9 abnormal reading. And that's where only when the
10 meter reader come in, you can't deny the meter is
11 saying -- he's seeing an arrow going to this number
12 and that number.

13 I'm not saying it visually is wrong,
14 but it was manipulated because of higher than normal
15 pressure which was generated somewhere within the
16 pipe system.

17 JUDGE TEAGUE KINGSLEY: Okay. I got you.

18 For the answer, in terms of timing, do
19 you want to file it like maybe sometime in August?

20 MR. BAILEY: Yeah, I'm thinking August would
21 be...

22 JUDGE TEAGUE KINGSLEY: I'm pretty flexible.

1 MR. BAILEY: I mean, should we -- okay. Today
2 is -- August 11th?

3 JUDGE TEAGUE KINGSLEY: Sounds good.

4 MR. BAILEY: Okay.

5 JUDGE TEAGUE KINGSLEY: Okay. Okay. So,
6 Mr. Williams, on August 11th, Peoples is going to
7 file an answer or otherwise plead. And then after
8 that, depending on what -- what their -- like if they
9 do a motion to dismiss or something like that, then
10 I'll issue another ruling telling you to respond.

11 I'm just trying to explain the process
12 so you know what -- what to anticipate if they file
13 that. But, we need to also, it sounds like, set a
14 date for an evidentiary hearing.

15 So response due August 10th.

16 MR. BAILEY: 11th.

17 JUDGE TEAGUE KINGSLEY: Or August 11th. Sorry.

18 Then -- okay. How about
19 September 18th at 10:00 o'clock? Well, 11:00 should
20 be fine.

21 MR. BAILEY: I'm -- I'm available.

22 JUDGE TEAGUE KINGSLEY: Mr. Williams, for the

1 actual trial, would September 18th work for you?

2 MR. KERMIT WILLIAMS: Yes.

3 I did request as exhibits and to show
4 that I tried to resolve this with Peoples Gas prior
5 to filing the complaint, my issues that I addressed,
6 a subpoena of records of filed complaints that I was
7 trying to resolve with Peoples Gas --

8 MR. BAILEY: Your Honor, I'm going to object to
9 that as a form of request for discovery.

10 JUDGE TEAGUE KINGSLEY: You're going to object
11 to what?

12 MR. BAILEY: We're going to object to that as a
13 form of discovery. Complainant has apparently on a
14 number of bills -- on a number of bills writes
15 significant notes on --

16 JUDGE TEAGUE KINGSLEY: Oh, on the bills?

17 MR. BAILEY: -- a copy and then sends that in
18 and it's not -- no notice is properly served.

19 JUDGE TEAGUE KINGSLEY: Yeah, you have to do it
20 more formally. Like now you have this case. You
21 have to speak with Mr. Bailey or contact Mr. Bailey
22 to make your requests formally. The bills, that

1 doesn't -- that's not proper notice. That's not how
2 you do it.

3 MR. KERMIT WILLIAMS: No, I'm saying, since we
4 on this level -- so as to bring clarity as to the
5 issues because I sort of pinpointed them -- today is
6 brief, but I sort of pinpointed the issues as it
7 pertained to the statement of what -- what actually
8 happened.

9 JUDGE TEAGUE KINGSLEY: I know. Mr. Williams,
10 I don't want to cut you off --

11 MR. KERMIT WILLIAMS: Yes.

12 JUDGE TEAGUE KINGSLEY: -- but now that you
13 have a formal complaint --

14 MR. KERMIT WILLIAMS: Yeah.

15 JUDGE TEAGUE KINGSLEY: -- the process is like
16 this. Like I said, today you guys talked to see if
17 you can come to an agreement without an actual
18 hearing before me where I decide what's -- you know,
19 I make a recommendation to the Commissioners as to
20 what can be done. Sometimes that can take more than
21 one session.

22 You all have talked. You've decided

1 that you want to go on to an actual trial. So what
2 you have to do is, if you want documents from them or
3 anything like that, you have to speak with counsel
4 for Peoples. Writing it on your bill is not the way
5 to communicate that information to them.

6 Do you see what I'm saying?

7 MR. KERMIT WILLIAMS: I heard what you're
8 saying. I'll wait until I receive the Peoples Gas
9 answer or plea as pertaining to --

10 JUDGE TEAGUE KINGSLEY: Okay. That sounds
11 good, yeah. And as you prepare for, you know, the
12 actual hearing, if you know -- and, of course, it has
13 to -- there are rules about, you know, what you can
14 request and stuff. But if you -- you know, just make
15 a list of -- I want this bill or I want that -- you
16 know, whatever it is you want -- you just have to
17 make that a formal request to them.

18 But if you send it to Peoples Gas, you
19 know, just anyone, that's not the appropriate venue
20 for that -- do you see what I'm saying? -- because
21 they have an attorney handling your matter.

22 MR. KERMIT WILLIAMS: Right. But we're not --

1 I'm really bringing it for -- not so much as the
2 Peoples Gas to get it, but to establish a case file
3 so the Court or whoever is hearing it --

4 JUDGE TEAGUE KINGSLEY: I know, sir. But
5 I'm -- I'm hearing it. I'm the one hearing your
6 case. So -- so, you know, if you make that request
7 to get the documents you want from them -- and they
8 can make requests to get documents from you. That's
9 called discovery. Okay?

10 And when you put on your case, when
11 you come next time for the hearing, then you'll
12 formally explain your position. You can bring
13 witnesses if you want. You can bring exhibits if you
14 want. And they'll do the same. They'll ask you
15 questions. You'll ask them questions. And we'll
16 proceed from there.

17 But, you know, when you say -- I get
18 what you're saying, you want a record. But I'm
19 saying the record is here because you've brought the
20 case here. You see what I'm saying?

21 MR. KERMIT WILLIAMS: Mm-hmm.

22 JUDGE TEAGUE KINGSLEY: Okay. So they're going

1 to file the answer or otherwise plead, so watch your
2 mail. You'll get it. And then on September 18th --
3 that date works for you for the actual hearing?

4 MR. KERMIT WILLIAMS: Yes.

5 JUDGE TEAGUE KINGSLEY: Does 11:00 o'clock work
6 for you?

7 MR. KERMIT WILLIAMS: Yes.

8 JUDGE TEAGUE KINGSLEY: Okay.

9 MR. KERMIT WILLIAMS: This is a hearing, not
10 the trial?

11 JUDGE TEAGUE KINGSLEY: It's the actual trial.
12 I'm sorry. I didn't mean to confuse you. It will be
13 your actual trial where you present your case, you
14 know. So you'll do an opening statement, very
15 brief -- you know, very, very brief. And then you'll
16 start to explain your allegations as succinctly as
17 you can. And, like I said before, you can bring a
18 witness. You can bring exhibits and all of that.

19 And then Mr. Bailey will do the same.
20 He'll bring -- you know, he can bring witnesses or
21 bring exhibits, documentation related to this matter.
22 And then he can ask you questions and you can ask his

1 witness questions -- not him personally, but his
2 witness questions.

3 And then you do a closing statement
4 where you just briefly say, So this is what I want.
5 You know, I don't want to pay this or something like
6 that. And then you're done. That's how the trial
7 works.

8 And then after that, I'm going to
9 prepare a Proposed Order, which is basically like a
10 decision where I'm recommending to the Commission
11 what I think should happen. And that will be mailed
12 to you and to Mr. Bailey. And then you'll have an
13 opportunity again to say, Well, you know -- it's
14 called Briefs on Exceptions and Reply Briefs. You'll
15 have an opportunity to respond to that order.

16 And then after that, I'll do a Final
17 Order, which is like a recommendation to the
18 Commission. And then they'll vote on it. Okay?

19 MR. KERMIT WILLIAMS: Okay.

20 JUDGE TEAGUE KINGSLEY: I just want to make
21 sure I explained the process to you.

22 MR. KERMIT WILLIAMS: Okay. Now, between

1 August 11th and September 18th, if there's something
2 in Peoples Gas' answer or plead as it pertains to the
3 complaint, will I be allowed to do a rebuttal to
4 that?

5 JUDGE TEAGUE KINGSLEY: Not the answer, no. If
6 they just say -- if they just do an answer saying,
7 you know, We deny this allegation, you know, or, you
8 know, This allegation is correct,
9 blah-blah-blah-blah, then you don't respond. Okay?

10 That's just -- it's just simply you
11 filed this complaint and then they're filing their
12 answer back to it. Right? So you don't --

13 MR. KERMIT WILLIAMS: Okay. That will be the
14 argument during the trial, I guess?

15 JUDGE TEAGUE KINGSLEY: Exactly.

16 MR. KERMIT WILLIAMS: Okay.

17 JUDGE TEAGUE KINGSLEY: Then during the trial,
18 you -- I mean, then during the trial, you're going to
19 tell me -- sort of like what you did today -- what
20 you think the problem is, you know, and how you'd
21 like to have it solved and what evidence you have to
22 support your position. You see what I'm saying?

1 But if, for example, they decide they
2 think your case should be dismissed and they file a
3 motion to dismiss -- do you see what I'm saying? --
4 then I'll give you an opportunity to respond to that.
5 You see?

6 MR. KERMIT WILLIAMS: Okay.

7 JUDGE TEAGUE KINGSLEY: Okay. So if they don't
8 file anything like that and they just file an answer,
9 then don't respond, you know, and then we'll just --

10 MR. KERMIT WILLIAMS: Address it during the
11 trial.

12 JUDGE TEAGUE KINGSLEY: Okay? All right?

13 MR. KERMIT WILLIAMS: All right.

14 JUDGE TEAGUE KINGSLEY: So we're going to come
15 back on September 18th at 11:00. And on August 11th,
16 Peoples Gas will file an answer or otherwise plead by
17 that date. Okay?

18 MR. KERMIT WILLIAMS: You said we're coming
19 back on August 11th, too?

20 JUDGE TEAGUE KINGSLEY: No. No. No, sir. I
21 was just saying they're going to file their answer
22 that I was telling you about or otherwise plead. So

1 around that time just, you know, make sure you're
2 kind of checking your mail so you see it. Okay?

3 MR. KERMIT WILLIAMS: All right.

4 JUDGE TEAGUE KINGSLEY: So we're continued
5 until September 18th at 11:00. Thank you.

6 And if you -- if that date --
7 something happens and you can't make it, just call
8 here and tell me. Okay?

9 MR. KERMIT WILLIAMS: Your name?

10 JUDGE TEAGUE KINGSLEY: I'm Judge Teague
11 Kingsley.

12 MR. KERMIT WILLIAMS: Teague, spell that for
13 me.

14 JUDGE TEAGUE KINGSLEY: Sure. It's
15 T-e-a-g-u-e.

16 MR. KERMIT WILLIAMS: T-e-a-g-u-e.

17 JUDGE TEAGUE KINGSLEY: And then Kingsley,
18 K-i-n-g-s-l-e-y.

19 MR. KERMIT WILLIAMS: Teague Kingsley.

20 JUDGE TEAGUE KINGSLEY: Yeah. So if you -- if
21 for some reason that date doesn't work for you, you
22 call the Commission. You let me know and we can do

1 something about it. Okay?

2 MR. KERMIT WILLIAMS: Okay.

3 JUDGE TEAGUE KINGSLEY: All right. Thank you
4 all.

5 MR. BAILEY: Thank you, your Honor.

6 (Whereupon, the above-entitled
7 matter was continued to
8 September 18, 2014, at
9 11:00 a.m.)

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